Established 1853. Sole Agents Butterick Patterns.

## Tailored Suits at Half and Less

These come with the Eton reefer jackets and with the box-plaited and ( inverted-plaited skirts.

sits. \$5 and \$17.00 \$17.00 \$15.50 and \$22.50 Suits.

**Brilliantine Dress Skirts** Made good and full, with the new box-

plaited back-

\$2.95 and \$3.95 -Second Floor.

Pettis Dry Goods Co.



Knox's latest creations in Trimmed and Walking

Best on Earth for the Money.

### Indiana Dental College

University of Indianapolis,

for all kinds of dental work. The fees are to cover the costs only. Receives patients from 9 a. m. to 5 p. m. 8. W. Cor. Delaware and Ohio Streets.

AMUSEMENTS.

"The Denver Express" at the Park Theater.

"The Denver Express," a lurid Western melodrama, presented by the Holden Dramatic Company, alternately thrilled with excitement and convulsed with laughter a large audience at the Park Theater last night. The massacre scene in the first act was very realistic and drew many rounds of applause. In the second act there was some execlient low comedy that furnished a solid half-hour of amusement. The duel in the last act was a clever piece of stage business. A noticeable feature of the production was the naturalness of the make-

The Holden engagement ends to-day with two performances of "Wife for Wife," said to be a high class melodrama.

Notes of the Stage. Charmion, the trapeze artist who dis-

rodes in midair, is creating a sensation in XXX Hoyt's "A Milk White Flag" will be larger than ever next season. One of the

new features will be an orchestra. XXX Richard Mansfield will begin his annual engagement at New York Garden Theater next fall in a new play, "Don Caesar's Re-

turn," written by Victor Mapes. Nellie Castle has just been engaged to play the ingenue role in "A Grip of Steel." hich is to be the attraction at the Park

Theater the first half of next week. Nat Goodwin has had a new play written for him by Robert Marshall, the Englishman who produced "His Excellency,

the Governor," and "A Royal Family." The new piece will be presented first in Lon-May Irwin will announce to-day whether or not she will be a member of the Weber

& Fields All-star stock company next season. She has received a tempting offer from its managers. De Wolf Hopper has already been engaged.

"Wife for Wife," claimed to be the strongest plece in the repertory of Holden Dramatic Company, will bring their week's engagement at the Park Theater to a close this afternoon and to-night. During their stay in this city the Holden people have made an enviable record. x x x

To-night the great Weber & Fields Allstar stock company, from their own New York music hall, will be at English's Op era House for one performance of their double bill of burlesque, "Whirl-i-Gig" and "Barbara Fidgety." This engagement has probably been the subject of more discussion than any other during the season which closes to-night.

Next Wednesday night at Tomlinson Hall the greatest musical event of the season will occur, under the direction of the Amphion Club. With extraordinary bravery, this musical organization has assumed the expense of bringing to Indianapolis three of the world's most renowned musicians, Alexandre Petschnikoff, the Russian violinist; Mark Hambourg, the Russian pianist and M. Aime Lachaume, a French plano virtuoso. In this way Indianapolis people will be able to enjoy a musical treat that has only been vouchsafed to residents of the largest cities in the country. It is pleasant to note that the heroic efforts of the club are being rewarded by an advance sale of large magnitude. Tomlinson Hail, kowever, has great seating capacity and all who care to enjoy the richest musical feast of the year can be accommodated.

#### PERSONAL AND SOCIETY.

Mr. and Mrs. Sterling R. Holt have issued invitations for cards May 25 Mrs. Mary F. Tuttle, of Hillsdale, O., is visiting Mrs. May Wright Sewall. Mrs. Pardell, formerly of this city, will arrive next week to visit Mrs. W. H. Cook. Mr. and Mrs. Charles K. Moore, of Middleton, are with Mrs. Charles Kregelo at

Mrs. Kay, of Pittsburg, who has been the yesterday that unless gains were made in guest of Mrs. Hervey Bates, jr., has re-Mrs. Henry Van Heusen, of Richmond, after the canvassing board has met. Syra-

who has been with Mrs. Clifton Comly, has

The Metropolitan School of Music will hold its commencement exercises at the Propylacum June 2, 8 and 13. Miss Mary Edith Dean entertained in-

formally with a porch party last night at her home on North Capitol avenue. Mr. and Mrs. J. Alferd Barnard will take possession of their new home, No. 1413 North Pennsylvania street, next week. Miss Grace McIlvaine and Mr. James Mclivaine, of Spencer, are visiting Mr. and Mrs. John W. Vest, on North Meridian

Mr. James Skidmore, of St. Louis, will spend Sunday with his sister, Miss Lucile Skidmore, who is Mrs. George N. Catter-

Mr. and Mrs. Hugh H. Hanna received informally last night in honor of Mr. Halsey C. Ives, a director of the Museum of Fine Arts of St. Louis. Mr. and Mrs. F. D. Brownell, of St.

Louis, are visiting Mrs. Brownell's mother, Ars. William Jones, and sister, Mrs. James Cruse, on North Meridian street. petit larceny. It was said they broke into Wednesday evening at the Propylacum to a carpenter shop and carried off a lot of hear an address by Prof. Alcee Fortier, | saws, chisels and other tools.

who will talk on "The Creoles of Louis-iana." The reception committee includes Mr. and Mrs. Thomas C. Day, Dr. and Mrs. J. N. Hurty and Miss Laura Ream. ally yesterday afternoon at cards, and among the out of town guests were Mrs. McGuire, of Richmond, Ind., and Miss Gray, of Muncie.

Invitations will be issued Monday for the marriage of Miss Eleanor Gibson and Mr. Frederick T. Johnson, the wedding to occur at the residence of Mr. and Mrs. Burger, on North Illinois street, June 6. Invitations will be issued Monday by Mr. and Mrs. George C. Beck for the marriage of their daughter Bessie and Mr. George B. Roberts, of Terre Haute, for Wednesday evening, June 6, at half past 8 o'clock. Mr. and Mrs. John Aufderheide enter-

were assisted by Mrs. William Zumpfe Mrs. Harry Sloutzhaur, Mr. Adolph Schellschmidt and Mr. and Mrs. Harry Temperly. Miss Florence Coffin gave a breakfast yesterday in honor of Mrs. Reakirt, of Clifion, Cincinnati, who is with Mrs. John T Brush. The luncheon table was adorned with a large bowl of nasturtiums. Among the guests invited to meet Mrs. Reakirt were Miss Skidmore of Charleston, who is

tained at cards and music last night. They

with Mrs. George N. Catterson; Miss An-nle Schuler of Decatur, Ill., who is visiting her parents; Mrs. Torres of Mexico, and Miss Hill of Chicago, who is with Miss Mrs. May Wright Sewall was the hostess

of the Girls' Classical School yesterday. The table was adorned with yellow marguerites and coreopsis, which represented the class colors, black and gold. The ices were in the form of yellow daisles with black centers and at each plate was a soubook and a corsage bouquet of yellow marguerites. The guests were Miss Ethel Spring of Oiney, Ill.; Miss Constance Lewis, president of the senior class; Miss Ger-trude Butler, Miss Clara Hawkins, Miss Lillie Goodlet, Miss Gertrude Twineham of Princeton, Miss Ruby Runyon of Warsaw, Miss Alberta Conlin, Miss Clara Lewis and Mrs. Sewall's visitor, Miss Ellen Thompson of Pasadena, Cal. The household science class and Miss Hedges were guests at a 5 o'clock tea given by Mrs. Sewall yes-

Mr. and Mrs. Will Arthur Cochran gave a hearts party last night in honor of Miss Eleanor Gibson and Mr. Frederick T. Johnson, who are to be married next month. The guests were Mrs. Tice, Miss Bryant, Miss Elizabeth Browning, Miss Mary Egan, Nell Brown, Miss Ada Schelley, Miss Helen Todd, Miss Leonore Hayes, Miss Daisy Porter, Miss Florence Buxton, Miss Susan Pursell, Miss Flossie Webster, Mrs. Chauncey Clark, Mrs. Albert Snider, Mr. | with trunks that he was pushing ran into | State for the purposes of jurisdiction, litiand Mrs. Harry Dickhutt, Miss Katharine a hole in the platform where a board gation affecting its rights and duties, and Godown, Mr. Claire Cameron, Mr. Samuel had been removed but was covered with a the taxation of its personal property. 5. ford, Mr. Maxwell Graves, Mr. Robert Tyler, Dr. Smythe, Mr. John Jeleff, Mr. Paul Krauss, Mr. Fred Krauss, Mr. Harry Marbarger, Mr. John Mott, Mr. Walter Johnson, Mr. Earl Goss. Mrs. Cochran was assisted during the evening by Emily Thomas Gibson, Miss Grace McIlvaine and Miss Bonnie Cochran. Punch was served by Misses Willa Nicholas and Susanna Robertson. The different rooms were adorned with red and white carnations and plants. The score cards and all the appointments were heart shaped.

WEDDING ANNIVERSARY. Mr. and Mrs. John Rauch celebrated their twenty-fifth wedding anniversary last night by giving a large card party and dance at the Maennerchor Clubhouse. They were assisted in receiving and entertaining their guests by Mr. and Mrs. Gustav Keevers, Mr. Edward Rauch, Mr. Edward Schoen, Mr. and Mrs. Otto P. Frenzel, Mr.

James O'Neal brought suit against the and Mrs. J. L. Bieler, Mr. and Mrs. Eugene ity of Indianapolis for \$5,000 damages. Dollmetsch, Mr. and Mrs. P. Hauss and He asserts that he took the competitive Mrs. Louise Wentsch. The guests were examination for a member of the fire department under civil service rules Aug. 1, Mr. and Mrs. J. P. Frenzel; Mr. and Mrs. and was appointed to a place on Otto N. Frenzel, Mr. and Mrs. Paul H merit. He says he thought the position Krauss, Mr. and Mrs. Adolph Scherer, Mr. would be permanent and gave up all other and Mrs. George Borst, Mr. and Mrs. business. He alleges that Nov. 22, 1896, he Charles Adams, Mr. and Mrs. Theodore was discharged without a trial and for Mr. and Mrs. Ferdinand Miller. Mr. and Mrs. Louis Ross, Mr. and Mrs. time he says the city has failed to pay him Anthony Balz, Mr. and Mrs. George Amt. except at odd times, when employed as Mr. and Mrs. Oscar Frenzel, Mr. and Mrs. common laborer and then at common John Snider, Mr. and Mrs. J. M. Rhodenhamel, Mr. and Mrs. Victor Jose, Mr. and ceive as a member of the fire department Mrs. Emil Steinhilber, Mr. and Mrs. Ruwas \$2.25 a day, and he demands full pay dolph Mueller, Mr. and Mrs. Louis Muir, up to the present time. Mr. and Mrs. Philip Hauss, Mr. and Mrs. George Richards, Miss Lena Fertig, Mr.

Frank Fertig, Mrs. Nilius, Mr. Otto Nilius,

Mr. and Mrs. Emil Fertig, Mr. and Mrs.

Mr. and Mrs. Henry Brinker, Mr. and Mrs.

George White, Mr. and Mrs. Frederick

Schowe, Mr. and Mrs. James Foley, Mr.

er, Mr. and Mrs. William Jungclaus, Mr.

and Mrs. Henry Runge, Mr. and Mrs.

Christian Off, Mr. and Mrs. Henry Ball-

man, Mr. and Mrs. William Stumpf, Mr.

and Mrs. Theodore Pfaffin, Mr. and Mrs.

William Rosebrock, Mrs. William Pfafflin,

Mr. and Mrs. Albert Rauch, Mr. and Mrs.

Charles Balke, Mrs. Louise Balke, Mrs.

Kopp, Mr. Albert Kopp, Mr. and Mrs. Jul-

ius Kellar, Miss Louise Frenzel, Mr. and

Mrs. Happersberger, Mr. and Mrs. Herman

Eisele, Mr. and Mrs. Frederick Berger, Mr.

drew Kreitlein, Mr. and Mrs. Christopher

Schrader, Mrs. M. Werner, Mr. and Mrs. J.

L. Bieler, Mr. and Mrs. Rosengarten, Mr.

and Mrs. John Boll, Mr. and Mrs. Samuel

Toole, Mr. and Mrs. John Schoen of St.

Mary Berger, Miss Anna Berger, Mr. and

Mrs. Henry Pape, Mr. and Mrs. Kreimer

and Mr. and Mrs. Eckerle, all of Cincin-

nati; Mr. and Mrs. Fred Trefsger, of Peoria, Ill.; Mr. and Mrs. Christopher Bos.

Mr. and Mrs. Essenback, of Cedar Grove

for the ladies and silver mounted paper

knives for the gentlemen. Following th

cards there was a course dinner served and

afterwards dancing in the ballroom. The

guests were seated at long tables in the

knelpe, which was adorned with flowers

varied programme of music during the

Greenwood.

Mr. C. G. Morris is visiting friends at

Miss Eisie Hunter, of Franklin, visited

Mr. and Mrs. Daniel Huffman, of Wind-

Miss Zenia McAlpin, of Southport, spent

Mrs. G. L. Smith, of Argos, is visiting

Mrs. H. G. Longden, of Greencastle, is

Mrs. Flora Rinker, of Elwood, is visiting

Mr. and Mrs. George Young, of Indian-

her parents, Mr. and Mrs. John J. Bishop.

apolis, visited Mrs. Young's parents, Mr.

AGAINST DONNELLY

It Is Believed He Has Been Defeated

by a Large Vote.

From the election reports received at the

International Typographical Union head

quarters it is believed that Samuel B. Don-

nelly, president of the union, has been de-

feated by James M. Lynch, of Syracuse.

Mr. Donnelly lost a large vote of "Big Six."

other quarters he has no hope of being

elected. The reports are very meager, and

it is doubtful if they will be given out until

cuse claims to have elected Lynch by 2,300

CITY NEWS NOTES.

Mrs. Eldridge will lead the services at

the Young Women's Christian Association

The Willing Workers' Mission of Cen-

tral-avenue M. E. Church will give a mis-

sionary tea this afternoon at 3:30 o'clock in

The Standard Oil Company has voluntar-

ily raised the wages of its employes 10 per

cent. The advance will go into effect im-

Samuel Taylor, colored, who was shot

Thursday night by a trap gun in the plumbing shop of J. W. Rich, 1526 North

Illinois street, was much improved yester-

day, and City Hospital physicians said he

Delbert Heady, thirteen, Roy Charleston.

colored, thirteen, and Harry Moore, col-

ored, thirteen, were arrested yesterday by Patrolman Mulvehill and charged with

mediately and will benefit a large number

to-morrow afternoon at 4 o'clock.

in this part of the State.

would probably recover.

Mrs. Dr. Wishard visited friends

Danville, Ky.

Greensburg this week.

Miss Olive Creasy Thursday.

fall, are visiting friends here.

Sunday with Miss Mayme Brewer.

and Mrs. A. C. Weaver, Sunday.

her parents, Mr. and Mrs. Asa Morris.

visiting her mother, Mrs. Julia Johnson,

potted plants. An orchestra played

Mr. and Mrs. George Berger, Mrs.

Katherine Hauss, of Morris, Ind.

souvenirs were silver glove buttoners

and Mrs. Eugene Gramling, Mrs. Schleich

Charles Balke, Mr. and Mrs. C. G. Weiss

The Indianapolis Street-railway Company was made defendant in another suit by Jacob Meyer for \$2,000 damages. He aleges that as he was driving across Colavenue at Fifteenth street, May 8. with a load of logs, he was struck by a car. He says his wagon was demolished and that the logs in falling on him disabled

THE LOCAL COURTS.

860,000-Big Estate Disposed Of

-Other Court Cases.

Two damage suits containing some rather

unusual allegations and demanding an ag-

gregate of \$60,000 damages, will be filed by

Attorney George W. Galvin against the

Cleveland, Cincinnati, Chicago & St. Louis

Railway Company. The plaintiffs are

James and Arthur Reed, father and son.

happened to Arthur Reed, who is fourteen

years old. On April 7 last he was struck by

a Big Four train and so badly injured that

he lost his right arm and two fingers of

his left hand. The accident happened while

he was trying to get out of the way of a

north-bound train, between the Washing-

ton and Market street crossings. It is al-

leged that between these crossings a very

narrow path lies along the railway tracks.

On one side of the tracks is a stone wall

built along the bank of Pogue's run. On

the other side there are buildings very

close to the track and part of the way

there is a high board fence. It is alleged

that young Reed was walking in this path

supposing of course that the train would

It is averred that the train came on at the

rate of twenty miles an hour and he was

caught and injured as above described. Young Reed is suing for \$50,000 damages

William Edward McClure brought suit

against the Indianapolis Union Railway

Company for \$20,000 damages. He says he

was employed as an assistant in the bag-

gage rooms at the Union Station and al-

loose plank, upsetting the load, which, he

alleges that his spine was injured and that

weighed 2,300 pounds, upon him.

Samuel Strode made the Central Union

Telephone Company defendant in a \$10,000

damage suit for injuries alleged to have

been received in a rune way, for which he

leges that as he, with his wife and daugh-

ter, was driving home on Kentucky ave-

nue, Dec. 19, 1899, trash was thrown out

on the company's conduits, which fright-

ened the team. He was trhown out, and

Fannie Wilson sued the Indianapolis street Railway Company for \$5,000 dam-

alight from a North Indianapolis car at

Indiana and Capitol avenues, April 24, the

car gave a sudden lurch while she was

pavement. She says her injuries are per-

standing on the step, throwing her to the

mashed and he was otherwise injured.

manhole, where men were working

She alleges that in attempting to

leges that Jan. 25, 1900, a truck loaded

and his father demands \$10,000.

his disablement is permanent

Austin Roberts and Otis Roberts, of the firm of Roberts & Roberts, cattle buyers, sued the Cleveland, Cincinnati, Chicago & St. Louis Railway Company for \$200 damages. They allege that they had a contract with the company to ship cattle from different parts of the State to Chicago, by way of Indianapolis, with the privilege of It is asserted that eighteen head of cattle were shipped from Pendleton, which were to have been left at Indian but were run through to Chicago. It is set out that the cattle were not sent to any commission firm there, for which and went until 9 o'clock the next day before they received food. It is alleged that the cattle looked "stale" when sold and had to be sacrificed for much less than would have brought had they been sold in Indianapolis.

The aggregate demand in the suits above mentioned reaches \$104,199. VALUABLE PROPERTY

Is Disposed of in the Will of Christian F. G. Koepper.

The will of Christian F. G. Koepper,

which disposes of his estate, estimated to bated yesterday. The Indiana Trust Company was named as the executor of the will, and is directed to sell all of his personal property and real estate, with the exception of the household goods, which are left to his wife, Elenora Maria Koepper, and divide the proceeds among his heirs. His wife is to receive one-third of the proceeds of the sale and the remainder is to be equally divided among his five children, Christina Elenora Gale, Anna Christina Maria Driftmeyer, Henry Christian Frederick Koepper, Lydia Elizabeth Maria Wilhelmina Koepper and Floringa

Louisa Minna Koepper. From the share of Maria C. E. Gale \$5,000 is to be deducted and \$4,000 from the share of Anna C. M. Driftmeyer for previous advancements. The shares of the other three children are to be held in trust by the Indiana Trust Company until they are twenty-five years old, and the incomes of the minor children, Floringa L. M. and Lydia E. M. W. Koepper, are to be paid to the mother until they are of age. The Indiana Trust Company was appointed their guardian. In the event of the death of either, the share shall be equally divided among the others. The will bears date of Dec. 22, 1898, and was attested by George D. Borst

and Otto N. Frenzel. WANTS A RECEIVER

To Operate the Plant So All the Debts

Can Be Paid. John Carlon was yesterday appointed receiver of the MacDaniels Printing Company, on the complaint of Estella MacDaniels. his own union, in New York city, and said | She says that she bought four notes the company gave to the C. P. Lesh Paper Company, which, with two made to her individually, aggregated \$1,707.65, all of which is now unpaid. She asserts that there are many other debts on which sult is threatened and if judgments are rendered and executions issued the property will be sacrificed. The assets, she says, barely cover the liabilities, but with a receiver and proper management the plant will run and all can be paid in full. She also says the company has several valuable contracts for printing, which cannot be filled if the company should become insolvent.

To Restrain Sale of Property.

Suit was brought, yesterday, by Charles L. Sheldon, administrator of the estate of Edward A. Sheldon, to restrain Sheriff Clark from selling the property that was formerly the Indianapolis engine works, to satisfy a mortgage held by the Atlas Savings and Loan Association. Judge Mc-Master gave a judgment for the association and the injunction is asked because the administrator was not made a party to the suit. Judge Carter will hear the case

\$100 for an Arm. The suit of Louis Laitner, by his next friend, Adelia Laitner, against the Indianapolis Union Railway Company for \$3,100

damages, was settled in Judge Carter's court, yesterday, by the company paying the plaintiff \$100. Young Laitner was riding RAIN OF DAMAGE SUITS on a box car when he fell off and rolled under the train, losing his left arm.

BIG DEMANDS FOR MONEY MADE IN Police Court Docket. In Police Court yesterday William Cuff colored, charged with criminal assault, was bound over to the grand jury.

Henry Lewis, on a charge of petit larceny, was fined \$10 and costs and sent to the workhouse with a sentence of 120 days Smith Johnson, colored, charged with stealing a watch, money and a railroad ticket from an old soldier, was fined \$10 and costs and sent up for thirty days.

Probate Commissioner Walker yesterday affirmed the sale of the C. Friedgen shoe store on North Pennsylvania street, which was sold to Emil Storer by Wilhelmina Friedgen, executrix of the estate. Mr. Storer has been an employe of the store The suits grew out of an accident which for years.

The Sale Confirmed.

An Allowance Made.

Mrs. Estella Tedrowe was allowed \$ week for support by Judge McMaster, yesterday, during the pendency of her suit for divorce from her husband, Joseph T. Tedrowe. No allowance was made for her at-

THE COURT RECORD. SUPREME COURT. 18397. Eel River R. R. Co. vs. State ex rel. Kistler, Howard S. C. Affirmed. Dowling, Where the record fails to show the disposition of a demurrer this court must presume that it was overruled. 2. In all transitory actions, objections to the jurisdiction of the court over the person of the defendant may be waived, and unless such objections are made promptly and without delay a waiver will be presumed. A full appearance to the action for any purpose, other than to present such objection by way of motion or plea, operates as a waiver of the objection and confirms the jurisdiction of the court over the defendant. 3. Jurisdiction of the person once lawfully acquired continues through all subsequent proceedings in the cause. 4. It is indising property and enjoying corporate franchises within its territory, that every such corporation should be regarded as having a domicile or place of residence within the be had to those principles which are applied in the case of natural persons. 6. The State which creates a corporation has the courts into abuses of its franchises by a body politic, and in case of nonuser or misuser, by the same medium to impose the penalty of forfeiture according to the course of the common laws, or in pursuance a place of residence at which the sovereign may call upon it to show cause why its franchises should not be seized, and the

corporation dissolved, and where a disposition is manifested to neglect or evade this bligation or the management of the corwhich one of several counties into which or through which the railroad passes, is the legal domicile of the corporation. Unshould not be permitted to take advantage of the uncertainty created by its own acts; ficient to give jurisdiction. 8. The act of 1865, Burns's, 1894, Sections 5209-5215, relating to the leasing of railroads, applies to intersecting and continuous lines only, and such as have not been equipped and opof corporate existence and franchises may result, although no statute in express terms enjoins or prohibits the acts or omissions complained of. 10. Misuser and nonuser

of corporate franchises are sufficient grounds for proceedings for forfeiture and dissolution. 11. Public policy forbids the leasing and abandonment of an equipped railroad, owned by a domestic corporation, to another competing railroad. 12. Where diana on the relation of a prosecuting attorney on a change of venue there needs be no change of the relator. 13. The statute not apply to the State, nor, as a general is its right of action lost by laches

upon the part of its officers. 18824. Turner vs. Illinois Steel Co. Lake C. C. Affirmed. Baker, J.-1. Where the question involved depends upon the evidence, and there is some evidence to sustain the judgment of the court, the cause will not be reversed. 2. Where a written instrument on its face is no evidence of an obligation of a party as principal, parol evidence may be introduced for the purpose

of identifying the party as the undisclosed

-Minutes.-18961. Marine D. Tackett and Board of Commissioners Decatur County vs. Thomas H. Stevenson. Decatur C. C. Petition to advance. Waiver of notice filed. 19114. William Best vs. State of Indiana.

Marion C. C. Appellant's reply to brief (5) filed. 19335. John G. Schaener vs. Julius Rominger. Bartholomew C. C. Appellee's motion to dismiss. Notice and brief on motion. Appellee's motion and affidavit for certeriorari and brief on motion.

APPELLATE COURT. 3109. The La Follette Coal Co. vs. Whitng, etc., Co. Boone C. C. Reversed Wiley, C. J. Where notice of demand for payment and notice of nonpayment of a note are not waived in the note by the worth from \$100,000 to \$125,000, was pro- maker or indorser, failure to give notice of nonpayment to the indorser is equivalent

3174. Nixon vs. Calvert. Fountain C. C. Affirmed. Robinson, J.-1. A debtor has the right to direct the application of payments made, and if he omits to direct such application the creditor may apply the payments to such debts due him as he chooses and he may apply the payments to the debt with the least security unless equity requires a different appropriation; but after a controversy has arisen concerning payments, a creditor cannot, at his discretion, appropriate payments, but the court will make such appropriation as equity requires. In such cases the intention of the debtor will govern, and such intention may be shown by acts or circumstances. 2. If parties agree as to the manner of appropriating payments, such agreement must be observed unless some controlling equity has

intervened 3123. Lukin vs. Halderson. Starke C. C. Affirmed. Wiley, J.-1. Interrogatories propounded to a jury should call for facts which are within the issues. 2. Where an attorney acts for both parties in a trans-action he may testify as to a conversation between himself and one of the parties relating to the matter involved. 2799. Chicago, I. & L. Ry. Co. vs. McCoy. Benton C. C. Petition for rehearing over International, etc., Assn. vs. Brat-

overruled. -Minutes.-3461. The Bates Land, Stone and Oil Com pany vs. Ira B. Spaulding. Blackford C. C. Praecipe. Notice. 3462. The Baltes Land, Stone and Off Company vs. James M. Sutton et

Blackford C. C. Praecipe. Notice. Prae-

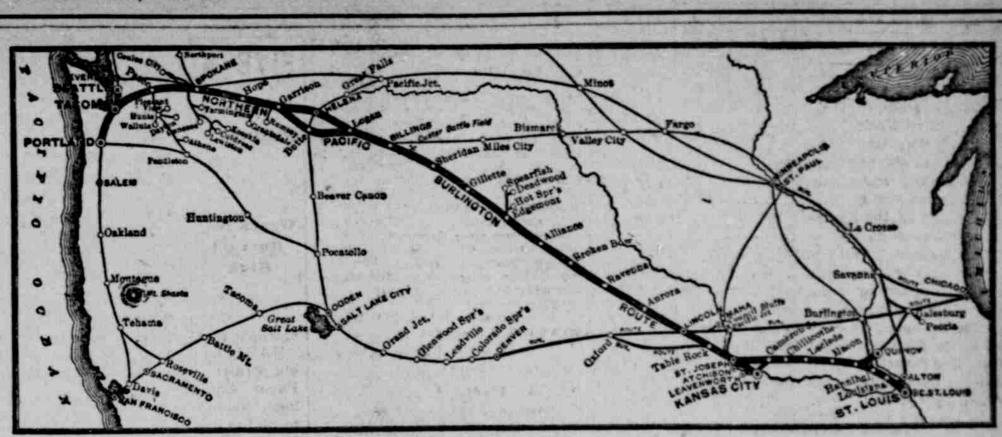
ton. Boone C. C. Petition for rehearing

cipe. Notice to co-parties. SUPERIOR COURT. Room 1-John L. McMaster, Judge. Vernung P. Evans vs. Louise Closser: famages. Judgment on verdict for plaintiff against defendant for \$22.05. Judgment against plaintiff for costs. Peter Kritzer vs. Albin Bawman; mechanic's lien. Finding and judgment for plaintiff against defendant for \$250. Decree

of foreclosure and order of sale Northeast Savings and Loan Association vs. Sarah Roberts; foreclosure. Finding and udgment for plaintiff against defendant for \$619.24 and costs. Decree of foreclosure and order of sale. Indianapolis Plumbing Company vs. B. N. Smith et al.; mechanic's lien. Dismissed and costs paid.

Room 2-James M. Leathers, Judge. Martha S. Scott et al. vs. Mrs. M. R. Starr et al.; qu'et title. Finding that plaintiff is entitled to have title quieted. Judgment against plaintiff for costs. Henry Severen vs. Buschman et al.; note. Defendants defaulted. Finding and judgment against defendants for \$5,090.95, without relief, and costs. Thomas Bond vs. Louis M. Field; mal practice. Dismissed at plaintiff's costs.

F. J. Van Vorhis vs. Augusta Cordis; note. Finding and judgment against defendant for \$421, without relief, and costs. Geo. W. Taylor vs. C., C., C. & St. I Railway Company; damages. Dismissed for State Bank of Indiana vs. Chas. Reynolds | day. Give it a trial. Bottled by Jacob Metzwant of prosecution.



# 'The Burlington=Northern Pacific Express'



ST. LOUIS TO PORTLAND, TACOMA, SEATTLE, connects these cities by through train service over a route, while the shortest to Puget Sound-2,350 miles-is yet one of the longest routes in the world for through passenger trains.

#### From St. Louis at 9 a. m. Daily.

HOWARD ELLIOTT,

et al.; note. On trial by jury. Evidence

Mercy L. Reaume vs. Frank C. Reaume; divorce. Decree granted plaintiff. Judg-

ment against defendant for costs.
Estella G. McDaniels vs. McDaniels

Printing Company; receiver. Evidence heard. John Carlon appointed receiver. Qualifies and files bond.

Room 3-Vinson Carter, Judge.

dianapolis Union Railway Company; dam-

\$100. Judgment on verdict for \$100 and costs.

Company et al.; damages. Dismissed by the

plaintiff. Judgment against plaintiff for

Clifford Waters vs. Caroline Shaub et al.

CIRCUIT COURT.

Merle N. A. Walker, Judge pro tem.

Etta Lehr vs. George Lehr; divorce. De-

endant defaulted. Submitted to court. Ev-

of divorce. Plaintiff given permission to

visit minor children, Leona, Lillian and

George Harold Lehr. Judgment against de-

John Nolting vs. Elizabeth H. C. Kreber

Emil Storer vs. Cornelius Friedgen's Es-

tate; claim for \$21,085.25. Docketed and sub-

mitted to court by agreement of parties.

Evidence heard. Finding for claimant. Al-

lowed for \$12,250 and costs against estate.

CRIMINAL COURT.

Fremont Alford, Judge.

NEW SUITS FILED.

court. Age twelve years. Committed to Re-

Robert Squibb vs. the Kingan Company

limited); damages. Demand, \$1,999. Super-

The Indiana Trust Company vs. Sadie M.

Allen and Anna Brooks; to foreclose mort-

Samuel Strade vs. the Central Union Tel-

phone Company; damages. Demand, \$10,-

William Edward McClure vs. the Indian-

Demand, \$20,000. Superior Court, Room 2.

James O'Near vs. the City of Indianap-

olis: damages. Demand, \$5,000. Superior

Jacob Meyer vs. the Indianapolis Street-

Fannie Wilson vs. the Indianapolis

Cleveland, Cincinnati, Chicago & St. Louis

Railway Company; damages. Demand, \$200.

Mary Patterson vs. Benjamin Patterson;

omplaint for support. Superior Court,

Grant McCracken's Death.

Grant McCracken, an employe of the

Malleable iron works, living at 720 War-

man avenue, died yesterday morning from

morphine poisoning. He was found un-

to whether the drug was taken with sui-

cidal intent or whether death was due to

an overdose taken to relieve pain from

which he suffered. McCracken was a

widower and leaves no relatives in this

city. He has a sister living in Illinois.

Adventists Will Use Tents.

of the Seventh-day Adventists yesterday

morning the proposition was made that

tents be secured, raised and the city cap-

tured for God. All of the ministers pres-

ent were enthusiastic, and arrangements

Robert Fuller, formerly captain in the

Salvation Army, who was married Wednes-day to Miss Nellie Donnell, daughter of

Elder Donnell, of 1311 Central avenue, is

preparing to take orders as a minister in

the Adventist Church, he having resigned

New Indiana Associations.

The following articles of incorporation

The Newport Milling Company, of New-

port; capital stock, \$50,000; directors, A. H.

Nordyke, Charles E. Nordyke and George

The North Dakota Sheep Company; capi-

tal stock, \$5,000; directors, Harry Stout, W. H. Dye and E. F. Stout.

The Teutonia Verein, of Valparaiso, an

organization devoted to the social enter-

tainment of its members. Directors, V. H.

Wendt, Frank Griebel and Charles Nupp-

A Boy's Mental Affliction.

a meeting of the Indiana Conference

The coroner investigated the case.

will be made later.

from the Salvation Army.

were filed yesterday:

conscious in his room and Dr. Tucker was

railway Company; damages. Demand, \$2,

Street-railway Company; damages.

mand, \$5,000. Superior Court, Room 1.

Austin Roberts and Otis Roberts vs.

apolis Union Railway Company; damages.

gage. Superior Court. Room 3.

000. Superior Court. Room 2.

000. Superior Court. Room 3.

Alva C. Coalson; incorrigible. Trial

et al. Receiver files final report. Approved

damages. On trial by jury.

John Olsen naturalized.

form School for Boys.

for Court. Room 2.

Court. Room 3.

Circuit Court.

fendant for costs.

Sarah E. Hedge vs. Indianapolis Gas

Louis Laitner (by next friend) vs. the In-

General Manager.

WILLIAM M. SHAW, D. P. A. 406 Vine St., Cincinnati, O.

L. W. WAKELEY, General Passenger Agent-

TOPICS IN THE CHURCHES. Sunday School Lesson

Christian Endeavor Work.

THE SUNDAY-SCHOOL LESSON.

May 20, 1900: Matthew xiii, 1-8, 18-

23-Parable of the Sower. were wont to gather. The intervals between the teasts found Him on the shores of Galilee, the dence heard. Finding for plaintiff. Decree

center of population. The manner of His life athelpfulness He identified himself with the people | the latest standard. What the churck really to the size of Jesus' audiences in the fact that | And when that book comes to be written, the It was at this epoch that Jesus' preaching suf- | a thing to hear the gospel as to preach it. He fered a change of style so marked as to excite on their lips. An emergency made the change necessary. In the heterogeneous mass before His kingdom. Had He proclaimed himself ex- founded by finding on the church record a long plicitly as only king of hearts. He would have | list of recent acquisitions bequeathed to him by precipitated His fate before He could have sown His seed and trained His apostolic college. The parable was his shhield. At the same time that it confused the worldly-minded and hostile, it stimulated the doctle to an inquiry which was always rewarded. Like God's lantern in the sky which led Israel's wilderness march, the parable was light to Jesus' friends, dark to His faithful sermon on the Parable of the Sower foes. . . The Parable of the Sower, con- may be helpful: nected, as it is, with an ever-recurring process process is one on which the very sustenance of human life depends, an unwonted dignity attaches to the parable. And as Jesus' own interpretation is attached, it is impossible to go

astray in the search for its meaning. . . . In imagination I hold in my hand a grain of wheat, just like that which the sower went forth to sew. What is that seed? Perhaps you say: "It is brown." But I did not ask the colors. "Oblong?" No. I did not ask the shape. These are but "accidents" of the seed. At the center of that grain there is an essence-an indescribable, invisible something. The Latins called it substantia, the inner principle of the seed. It is this which gives the accidents of color, size and shape. Extract that principle, and there is nothing left. . . . The gospel is a seed. It may be written or spoken. It may be Scripture, hymn, sermon, prayer, tract, Sunday-school teaching, exhortation. The accidents of form are multiple. But, at the heart of it there must be a divine prove the rule. They are usually, too, the seeds value is skill and care required in the planting of good seed. As multiplex as the forms of the seed, so are the sowers. Whoever presents goscompanies it is a sower of seed. The seed implies a soil. And the soils are as multiplex as the sowers and the seeds. . . Across the Oriental fields footpaths may still be seen. Though allowed, they partake of the nature of trespass. Farmers-not accidentally, but purposely-sow upon them for a witness that the claim to them is not abandoned. The unawakened human heart is a path trodden hard by sin and evil habits. Yet it belongs to God. He still claims it. His truth is sown upon it for a testimony. But in such instances the soul of the gospel does not And the seed is quickly taken away by the wicked one, who sends irrelevant thoughts, film of soil which covers a ledge of rock. The and causes the seed to germinate all the more quickly. But there is no chance to draw moisture from the depths of the soil. For a permanent ard healthful growth, the seed of the gospel must grow as deep as it grows high. There heart as confession with the tongue. But the unbroken rocky covering of the heart renders an interior growth impossible. The life of the seed

tions of human life seem here referred to. The

poor, in whom often the extreme anxiety about

temporal affairs and absorbing attention to the

making of a living chokes the spiritual life, and

the rich, who, in their abundance, are prone to

forget God and indulge themselves to such an

duce a hundred-fold. Moral earnestness-an hon-

THE TEACHER'S LANTERN.

Jesus' incomparable legacy to His church is

his thirty-three parables. If all the rest of the

Bible were lost, there is enough in these word

dite and obscure. It is the mark of a great

teacher that he can make the commonest ob-

jects and processes of nature or art the vehicle

est and good heart-is a good soil.

Fred Fry, who was locked up at the poic beautiful, but brief. The same sun that caused lice station Thursday as insane, was turned it to germinate, withers it. . . There is over to his father, Stephen D. Fry, of 1116 still another soil which, though untrodden and free from rock, yet has secreted in it roots of Dawson street, yesterday. Fry is apparpolsonous thorn bushes. The thorns and the ently sane at most times, but was unable wheat grow together; but the thorns faster and to tell where he lived and occasionally more luxuriantly. They rob the wheat of the gave vent to a peculiar laugh which indicated unsound mental condition. His father said he had long been that way and portion of sunshine, dew and rain; they poison it with noxious breath, they wound it with frequently went away from home and was

unable to remember where he lived or his | their sharp briers, they choke it. Two condi-

Amusement Committee Meets. The amusement committee of the Com-

mercial Club met yesterday to make further arrangements for the final entertainment of the music festival which will be given in the interest of the proposed Commercial Museum Saturday night, June 2. Special effort will be made for this event, and all of the Indiana senators and representatives will be asked to attend and make short ad-

A Shot Was Fired. Blcycle Policemen Bray and Losh ar-

rested Harry Klein, of 29 South Delaware street, and Harry Herman, of West Washington street, yesterday afternoon because of a fight at Klein's saloon, in which Herman threatened his brother-in-law with a rock and was run out of the place with seeks to magnify itself by the use of the recona revolver, which was fired twice. Klein claimed he shot into the air to frighten

Mai Beer On draught in all the leading saloons to And yeast, and bread, and flax, and cloth, And eggs, and fish, and candles; He most divinely handles

The correspondence between the natural and the spiritual is so wonderful and helpful that we cannot believe it a mere coincidence. It was designed. God intended that the natural should Jerusalem, where the widely-scattered Jews interpret to us the supernatural. We would put Liliton's query into a positive assertion:

What if earth Be but the shadow of heaven, and things therely Each to the other like more than on earth is thought?

Books telling preachers how to preach, multiply. The modern preacher would be a perfect famous backwoods itinerants would groan in needs is a book telling the people how to hear. Parable of the Four Soils will be a capital groundwork for it. . . It is just as solemn who said "As ye go, preach," also said, "Take heed how ye hear." . . The fate of the seed is the fate of the soul. Does the hearer allow the gospel seed to be carried away, withered or choked? So will the Lord of the harvest deal with his soul. . . . Many a pastor is dumhis predecessor, not one in ten of whom materigregation. With the Parable of the Sower before him, the new pastor ought not to be dashed by the discovery. These are the wayside hearers. . . . The following analysis of Frederic W. Robertson's incomparable and fearlessly

-I. The Cause of Failure in Religion .-

(1.) Not in God, [Predestination.]
(2.) Not in gospel. [Inherent impotency.
(3.) Cause in soil of heart. [Free will.]

-II. Human Causes of the Gospel's Fallure .-(1.) Want of spiritual perception. (2.) Want of depth in character. (3.) Dissipating influences yielded to.

-III. Three Requirements for Permanence of Religious Impressions.—

An honest and good heart. [Earnestness.] Meditation. [Keeping the word.] Endurance. [Bring forth fruit with pa-A jewel-box sermon this! . . The value of old mechanical life. The danger of excitement is the probability of reaction. . . In the soil of the heart is found all the nutriment of spiritual life, and all the nutrient of the weeds and poisons which destroy spiritual hollowness and heartlessness are, you must seek for them in the world of light, elegant, superficial fashion-where frivolity has turned the heart into a rockbed of selfishness. Say what men will of the heartlessness of trade, it is nothing compared with the heartlessness of fashion. . . . There is nutrient enough in the ground for thorns and enough for wheat and thorns. . . God or the world-not both. . . Either hand for Abraham. What cared the Pilgrim of the Invisible for fertile lands or ragged sands? . . This world is given as a prize for the men in earnest. . . Sow for time, and probably you will succeed. Sow the seeds of humbleness, pure-heartedness, and love, and in the long eternity every mi-

crease of thirty, sixty, or a hundred-fold. CHRISTIAN ENDEAVOR.

nutest grain will come up again with an in-

Topic for May 20: The Power of a

Temperate Life-Dan. i. 1-17. It is one of God's kind laws that obedience in a lower sphere always brings rewards in a touch the soul of the man. There is an outward | higher sphere as well. To obey God in the body hearing, indeed; but no outward comprehending. | finds recompense in the body, to be sure, but also in the soul. No one can be temperate without getting a clearer eye for it, a finer skin, pleasures, business, etc., as a flock of birds to stronger muscles and a steadler pulse. But devour the seed. . . Some seed fall upon a then, too, it is impossible to be temperate and not see more of God, enjoy finer impulses, # pays at compound interest, a spendid return for

But is temperance a trifle, an easy matter, a slight task? Does it not rather imply great self-control, strenuous self-denial? One would the intemperate men. To one that has never used tobacco it is no hardship not to use it; he loathes it. A man who has never used alcoholic liquors can pass the door of a thousand saloons with a greater relish than the other youths had for their richer viands, and so they grew fairer to the eye. No truly temperate man feels it a self-denial to be temperate; it is his choice and

at some points, we have already begun to be intemperate? How can we make our way into the

power of a temperate life? First, want to. No one can be cured of drunkenness-of any kind-until he really wants to be cured. His body may be pumped full of gold cure and other nostrums, but he will remain a drunkard at heart until he takes the will cure, and ceases to look longingly after his sin and

extent as to stifle all spirituality. . . . The good ground may now be defined by contrast. It is not the wayside. It is not stony. It is not Second, keep away from temptation. If your thorny. It is a soil that has been plowed and sin came through the dance, do not even look at caught the sunlight and rain, and holds them. a pack of cards, even when no stake is played A soil that will receive the seed, and hide it, for. If from strong drink, do not even read the and warm it in its bosom. Such a soil will pro-

papers that advertise liquors. Third, cram your life with healthy interests, Hard work is one of the best specifics against intemperance-a veritable gold cure.

may prove. No drunkard has fallen farther into beastliness than many of those who have "stretched lame hands of faith" out of their pits, and have met the answering hands of God. There is no depth of sensuality, of passion, of folly and despair that His mercy cannot sound, No drunkard can enter the kingdom of heaven. but the kingdom of heaven can enter any drunk-AMOS R. WELLS. ard, if he will.

of instruction. Such was Jesus' method. He spake of lilies, vines and corn, The sparrow and the raven. And words so natural, so wise, ere on men's hearts engraven;

rock holding the heat acts like a forcing house, quicker energy, a sturdier will. God always a triffing service.

But suppose that, as is the case with all of us